

## **REMARKS**

The above amendments and the following remarks are fully and completely responsive to the Office Action dated April 7, 2005. Claims 1-6 are pending in this application with claim 1 amended by the present Amendment. In the outstanding Office Action, the Abstract was objected to; claims 1-6 were objected to; claims 1-3 and 5-6 were rejected under 35 U.S.C. § 102(b); and claim 4 was rejected under 35 U.S.C. § 103(a). No new matter has been added. Claims 1-6 are presented for reconsideration.

### **Objection to the Abstract**

The Office Action objected to the Abstract because it was too long. The above amendment to the Abstract shortens the Abstract so that it is in the range of 50 to 150 words. Therefore, Applicants respectfully request reconsideration and withdrawal of the objection to the Abstract.

### **Claim Objections**

Claims 1-6 were objected to due to the informality noted in claim 1. Claim 1 has been amended as suggested in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to claims 1-6.

### **35 U.S.C. § 102(b) and § 103(a)**

Claims 1-3 and 5-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ogino (JP 10-139401). In making this rejection, the Office Action asserts that this

reference teaches each and every element of the claimed invention. Applicants disagree and request reconsideration of this rejection.

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogino in view of Fujitani et al. (U.S. Patent No. 5,728,483, "Fujitani"). In making this rejection, the Office Action asserts that the combination of these two references teaches and/or suggests the claimed invention. The Office Action also asserts that one of ordinary skill in the art would combine these two references. Applicants disagree and request reconsideration of this rejection.

Independent claim 1 (the only independent claim in the present application), as amended, recites in part:

...a first storage means for storing and supplying the hydrogen gas obtained by said reforming means to a first fuel cell used as a stationary electric power supply; and

a second storage means for storing and supplying the hydrogen gas obtained by said reforming means to a second fuel cell used as a mobile electric power supply...

In rejecting claims 1-3 and 5-6, the Office Action, on page 3, states that Ogino teaches "a first storage means (92) for storing and supplying hydrogen gas from said reforming means to at least a first fuel cell (100)". The Office Action also states that Ogino teaches "a second storage means (55) for storing and supplying the hydrogen gas obtained by said reforming means to at least a second fuel cell (100)".

While the claims recite a first fuel cell and a second fuel cell, the Office Action only identifies a single fuel cell (100). Since the Office Action has failed to identify both a first and a second fuel cell, as recited in the claims, the Office Action fails to state a *prima facie* rejection under either 35 U.S.C. §102(b) or 35 U.S.C. § 103(a). Specifically,

the Office Action fails to identify both a first and a second fuel cell. The Office Action only identifies a single fuel cell (100).

Fujitani is neither cited for, nor does Fujitani correct, the deficiencies discussed above in Ogino. Specifically, Fujitani only discloses a single fuel cell. Consequently, Ogino alone, or in combination with Fujitani, fails to teach and/or suggest the claimed invention. Specifically, neither of these references teaches and/or suggests both a first and a second fuel cell. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3 and 5-6 under 35 U.S.C. § 102(b). Applicants also request reconsideration and withdrawal of the rejection of claim 4 under 35 U.S.C. § 103(a).

## **Conclusion**

Applicants' amendments and remarks have overcome the objections and rejections set forth in the Office Action dated April 7, 2005. Specifically, Applicants' amendment to the Abstract overcomes the objection to the Abstract. Applicants' amendment to claim 1 overcomes the objection to claims 1-6. Applicants' remarks have distinguished claims 1-3 and 5-6 from Ogino and thus overcome the rejection of these claims under 35 U.S.C. § 102(b). Applicants' remarks have also distinguished claim 4 from the combination of Ogino and Fujitani and thus overcome the rejection of this claim under 35 U.S.C. § 103(a). Accordingly, claims 1-6 are in condition for allowance. Therefore, Applicants respectfully request reconsideration and allowance of claims 1-6.

Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully

request that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time.

The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, making reference to attorney docket number 101175-00035.

Respectfully submitted,  
ARENT FOX PLLC

A handwritten signature in cursive script, appearing to read "R Hill", is written over a horizontal line.

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